

REMARKS

A. Amendment is Necessary

This Amendment is necessary and was not earlier presented, because it responds to new arguments presented in the Final Office Action, broadens certain dependent claims and presents additional claims to provide additional coverage for the inventions claimed. Since the broadened claims contain elements already searched and the additional claims contain elements recited in the independent claims, it is not believed that an additional search is necessary. Similarly, the broadened and additional claims should not present additional issues for the Examiner to consider. Since the arguments below show features of the claims that are not taught or suggested by the cited references, Applicants request that the present Amendment be considered and entered.

B. 35 U.S.C. § 102

1. Claims 2-10 and 34-37

In the Final Office Action mailed on January 19, 2007 (hereinafter “the Final Office Action”), claims 2-10 and 34-37 were rejected under 35 U.S.C. § 102(e) as being anticipated by Hafner et al., U.S. Patent No. 5,893,076. Claim 6 has been canceled rendering its rejection moot. Regarding the remaining claims, Applicants traverse the rejection. Claim 7 recites “the extracting process is selected from the group consisting of a process based on compatibility of a processing system of a second business entity to receive the extracted subset, a process based on previous history of usefulness of prior extracted data, a process based on a model for managing the transactional subject and a

process based on properties of the database.” The Examiner in the Final Office Action has relied on the passages at column 3, lines 34-64, column 5, lines 10-19 and column 10, lines 50-56 and 63-65 as disclosing each of the four cited extraction processes. A review of the passages reveals that none of them discloses any of the recited extraction processes mentioned above. For example, the passage at column 10, lines 50-56 refers to a menu for maintaining and controlling forecasting functions. Since the remaining portions of Hafner et al. do not disclose any one of the extracting process options recited in claim 7, claim 7 and its dependent claims 2-6, 8-10 and 34-37 are not anticipated by Hafner et al.

The rejection of claim 8 is also traversed in that Hafner et al. does not disclose transmitting superseding requirement-indicating data on an as-needed basis. For example, the passages relied on by the Examiner in the Final Office Action do not disclose or suggest such transmitting.

Besides not being anticipated by Hafner et al., claim 7 is not rendered obvious by Hafner et al. since there is no suggestion in Hafner et al. or the prior art to alter Hafner et al. to perform the recited extracting process. Without such suggestion, claim 7 should be allowed.

Note that claim 6 is being canceled solely to partially offset the number of new claims being presented and so is not being canceled for reasons related to patentability as defined in *Festo Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd*, 234 F.3d 558, 56 USPQ2d 1865 (Fed. Cir. 2000) (*en banc*), *overruled in part*, 535 U.S. 722 (2002).

2. Claims 12 and 18-22

Claims 12 and 18-22 were rejected under 35 U.S.C. § 102(e) as being anticipated by Hafner et al. The rejection of claim 12 has been rendered moot by its cancellation. Regarding the remaining claims, Applicants traverse the rejection. In particular, claims 18-22 depend from claim 14 which the Examiner in the Final Office Action conceded was not anticipated by Hafner et al. Accordingly, the rejection should be withdrawn.

Note that claim 12 is being canceled solely to partially offset the number of new claims being presented and so is not being canceled for reasons related to patentability as defined in *Festo*.

C. 35 U.S.C. § 103

1. Hafner et al.

Claims 13, 17, 38 and 39 were rejected under 35 U.S.C. § 103 as being obvious in view of Hafner et al. The rejections of claims 13, 17 and 39 have been rendered moot due to their cancellation. Regarding the remaining claim 38, it depends directly on claim 7, which recites “the extracting process is selected from the group consisting of a process based on compatibility of a processing system of a second business entity to receive the extracted subset, a process based on previous history of usefulness of prior extracted data, a process based on a model for managing the transactional subject and a process based on properties of the database.” As mentioned in Section B.1, there is no suggestion in Hafner

et al. or the prior art to alter Hafner et al. to perform the recited extracting process.

Accordingly, the rejection is improper and should be withdrawn.

The rejection of claim 38 should be withdrawn for the additional reason that Hafner et al. does not disclose nor suggest an extraction process being based on properties of a requirement-indicating database. It is noted that the Examiner in the Final Office Action asserted that column 8, lines 55-63 of Hafner et al. disclose the recited extraction process. The passage refers to display fields and is silent as to the recited extraction process.

Note that claims 13, 17 and 39 are being canceled solely to partially offset the number of new claims being presented and so are not being canceled for reasons related to patentability as defined in *Festo*.

2. Hafner et al. and Meltzer et al.

Claims 14-16, 18-20, 22, 40 and 41 were rejected under 35 U.S.C. § 103 as being obvious in view of Hafner et al. and Meltzner et al., U.S. Patent No. 6,125,391. The rejection of claim 41 has been rendered moot due to its cancellation. Applicants traverse the rejection of the remaining claims. Independent claim 14 recites “the extracting process is selected from the group consisting of a process based on compatibility of a processing system of a second business entity to receive the extracted subset, a process based on previous history of usefulness of prior extracted data, a process based on a model for managing the transactional subject and a process based on properties of the database.” As pointed out above in Section B.1, Hafner et al. does not disclose such extracting. Since

Meltzner et al. does not suggest altering Hafner et al. to perform the recited extracting process, the rejection should be withdrawn.

The rejection of claim 40 should be withdrawn for the additional reason that Hafner et al. does not disclose nor suggest an extraction process being based on properties of a requirement-indicating database. It is noted that the Examiner in the Final Office Action asserted that column 8, lines 55-63 of Hafner et al. disclose the recited extraction process. As pointed out above in Section C.1, the passage is silent as to the recited extraction process.

Note that claim 41 is being canceled solely to partially offset the number of new claims being presented and so is not being canceled for reasons related to patentability as defined in *Festo*.

D. New Claims 42-47

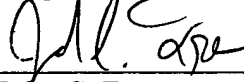
New dependent claims 42-47 are being presented to provide additional coverage for the methods of claims 7 and 14. Since claims 42-47 depend directly from claims 7 and 14, they are patentable over the prior art for at least the same reasons as claims 7 and 14, discussed above. Accordingly, new claims 42-47 are not being presented for reasons related to patentability as defined in *Festo*.

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CONCLUSION

In view of the arguments above, Applicants respectfully submit that all of the pending claims 2-10, 14-16, 18-22 and 34-38, 40 and 42-47 are in condition for allowance and seeks an early allowance thereof. If for any reason, the Examiner is unable to allow the application in the next Office Action and believes that an interview would be helpful to resolve any remaining issues, he is respectfully requested to contact the undersigned attorney at (312) 321-4200.

Respectfully submitted,



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